

#LesbiansAreHot: On Oil, Imperialism, and What it Means to Queer International Law

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While re-reading Dianne Otto's work in preparation for the celebration of her marvelous work I came across a picture that had been 'going viral' on facebook.



Picture: Canadian Oil Sands Community/Facebook¹

The picture shows two women kissing, and the text: "In Canada, lesbians are considered hot. In Saudi Arabia, if you're a lesbian, you die!" The poster calls on us to buy Canadian oil over Saudi oil – in support of 'equality'. The picture really doesn't need much comment. I could just leave it here, in the knowledge that you would be looking at it, 'reading' this picture with all the tools and concepts that Di has made available to us in her work. You would notice the tropes used, the mechanisms at work in this picture. What we would do, and what various commentaries have already done, is what Di so usefully suggests in her work: to tell the straight story, and then to

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¹ The page has been taken down, but links to this new, similar page:

<https://www.facebook.com/OilSandsStrong/> The image is still available through various news pages, detailing the image and the backlash e.g. <http://www.cbc.ca/news/canada/calgary/lesbians-are-hot-oilsands-facebook-post-1.3694353>

tell the queer story, of the event, in this case the publication of the picture.² So let me do this on paper here with you. It'll be a little bit of "what would Di do?" and a little bit of myself added into the mix – stretching the queer story and seeing where it will go.

First, the straight story. This is the straight, white, liberal feminist story, the homonormative, gay governance story, which goes like this: "Why don't we just say: In Canada Lesbians have rights"? This is one of the most frequent comments on the facebook post. In summary, it 'sanitises' the picture and rewords the message like this:

"Lesbians have the right to marry in Canada, so we're good. Buy our oil."

The straight story seems simple enough, but what about the queer story? Di has commented on Queers' special ability to see: if you are straight, you may not see it, if you are queer, your optic is, by necessity, ever so slightly different³ – and this allows you to see, very clearly, how the heteronorm is the basic frame that structures not just relationships, but ALL.OF.LIFE.

This way of reading, this skill, which Di through her work has also succeeded in teaching the straight world, is one of her major achievements. So to put this into practice then, one of the most readily visible 'queer readings' of this picture will be that of Pinkwashing.

Pinkwashing is a term created and used by queer activists and theorists including of course Jasbir Puar, Maya Mikdashi, Haneen Maikey and Aeyal Gross,⁴ that has become mainstreamed, such that I expect most readers will be familiar with it. If not, the term, combined with 'homonationalism' refers to dividing the world into a binary of 'good' and 'evil' states on the basis of the status of gay or LGBT rights in those countries.⁵ And the next move is, to enable, allow, or even require, the 'good' countries to intervene in the bad countries, or indeed to 'liberate' or 'civilise' them, even if only for the oil. The 'good' countries then instrumentalise their own LGBT rights record to legitimise such intervention.⁶

² On telling the queer story, see Dianne Otto, 'Transnational Homo-Assemblages: Reading "Gender" in Counter-Terrorism Discourses' (2013) 4:2 Jindal Global Law Review 79.

³ Discussion at the Law & Society Annual Meeting, Roundtable '(De)constructing the Heteronormative: Conversations and Confrontations on Law and Society', New Orleans, 5 June 2016.
<https://ww3.aievolution.com/lsa1601/index.cfm?do=ev.viewEv&ev=3387>

⁴ Jasbir Puar, 'Israel's Gay Propaganda War':
<https://www.theguardian.com/commentisfree/2010/jul/01/israels-gay-propaganda-war>; Aeyal Gross, 'Israeli GLBT Politics Between Queerness and Homonationalism':
<https://bullybloggers.wordpress.com/2010/07/03/israeli-glb-politics-between-queerness-and-homonationalism/>; Jasbir Puar, Maya Mikdashi, Heike Schotten and Haneen Maikey,
<http://alqaws.org/articles/Queers-Resisting-Zionism-On-Authority-and-Accountability-Beyond-Homonationalism>

⁵ See also Rahul Rao, 'Global Homocapitalism' (2015) 194 Radical Philosophy 38; Ratna Kapur, *Erotic Justice: Law and the New Politics of Postcolonialism* (London: Gasthouse, 2005); Cynthia Weber, *Queer International Relations: Sovereignty, Sexuality and the Will to Knowledge* (New York: New York University Press, 2016).

⁶ There are many variations on this trope, including using countries' poor LGBT rights record as an argument against accepting refugees from those countries: "they don't like our freedoms"/"they throw gays off buildings". In the UK, the activist group Lesbians & Gays Support the Migrants was started specifically to counter these narratives: <https://www.facebook.com/pg/lgsmigrants/about/>

Of course, this picture isn't asking us to intervene in evil Saudi Arabia, in fact it's asking us to leave Saudi Arabia well alone. The 'imperialist' intervention promoted by this picture is not directed outward, into the Global South, as it usually is, but inward, within Turtle Island or more specifically, the oil sands of what is known to settlers as Alberta, Canada.

Effectively, it is asking us, the general facebook-using public, to support the extraction of tar sands oil in Alberta because lesbians are hot, or (in the sanitised version) because lesbians have rights, in Canada. Interesting move, no?

As an aside: Di and others have of course noted that Gay marriage laws in the West are partly a result, a concession governments made in order to create precisely this good country/bad country dichotomy to gain legitimacy in the so-called "war on terror"⁷ otherwise known as the war for oil. Here we see it turned inward, inverted (queerly, perhaps) in support of settler colonial extractivism: the continued erasure of indigenous people so as to get white settler hands on indigenous oil and land.

This is one queer story, of many, that we can tell about this picture, the further we peel back the layers of this onion of an image. Some of the feminist responses to the posting have pointed out, besides the argument that it's not cool to use women's bodies to sell, that the only reason this female, lesbian sexuality is acceptable is because it is seen as available for male consumption. Some commentators have said, these don't look like any lesbians we know (genuine, authentic lesbians⁸), but probably like the male fantasy cute white waspy college girls getting it on porn movie kind of lesbians. And that this is the problem with the image.

I'm also not so interested in this critique either right now. I am sure there are some lesbians somewhere who look like this, and good for them.⁹

Just a little background info about where this picture came from. Fort McMurray is at the centre of the controversial tar sands oil extraction, a method of extraction that does this to large parts of mainly indigenous lands in Alberta, Canada:

⁷ Otto, above n 2.

⁸ Who perhaps in the straight imagination look more like Lea Delaria?

<https://bullybloggers.wordpress.com/2015/07/16/from-sister-george-to-lonesome-george-or-is-the-but-ch-back/>

⁹ I'm thinking here of... Kristen Stuart and Stella Maxwell: <http://www.justjared.com/photo-gallery/3836709/kristen-stewart-new-girlfriend-stella-maxwell-grab-smoothies-in-la-07/>

Picture: Greenpeace¹⁰

Oil sands extraction, is of course also being introduced in the UK alongside other 'unconventional fuels' such as fracking and shale gas extraction with devastating environmental, public health and community impacts pushed by the fossil fuels industry.¹¹

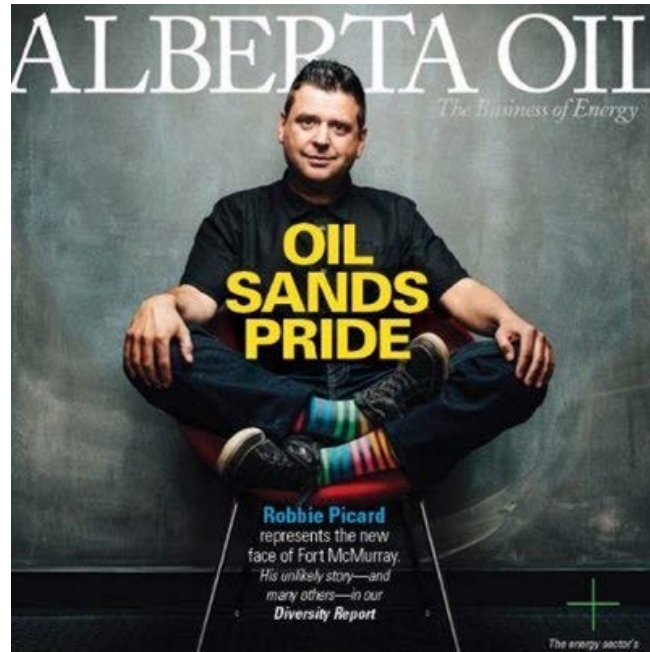
When I first came across the #lesbiansarehot picture I thought it was produced by a corporate funded lobby group, and I decided it would be brilliant for my current project which is on Queering Corporate Power. However, this Canada Oil Sands Community is in fact not a community at all¹² but a one man, gay, metis indigenous former employee of Suncore, from Fort McMurray called Robbie Picard.¹³ Incidentally because of his viral facebook presence he has now been picked up as the "new face of Alberta oil", comfortably out, proud and wearing rainbow socks.

¹⁰ <http://www.greenpeace.org/canada/en/campaigns/Energy/tarsands/>

¹¹ <https://www.theguardian.com/environment/2011/nov/27/canada-oil-sands-uk-backing>; <https://www.no-tar-sands.org>; <https://www.gov.uk/government/groups/office-of-unconventional-gas-and-oil-ougo>; <http://frack-off.org.uk>

¹² The original facebook page has now been deleted and the link points to a new page, OilSands Strong: <https://www.facebook.com/OilSandsStrong/>

¹³ <https://www.albertaoilmagazine.com/2016/07/robbie-picard-gay-metis-man-montreal-found-community-unlikely-place-fort-mcmurray/>

Picture: Alberta Oil Magazine¹⁴

In fact it is interesting that almost all responses I have seen have assumed the image was produced by a straight, white, corporate oil worker. The image is in fact much queerer than people realise. Not the straight, bored, porn-in the office-watching PR officer we had been expecting. We could get sucked into wanting to find out more about this man. For example, inside the magazine, Robbie explains that, having grown up as a First Nation's gay guy in Montreal, the first place he felt comfortable enough to "be himself" was Fort McMurray – a place where he could walk down the road hand in hand with his boyfriend, and where a gay couple having a pizza at the local joint on a Friday night would not turn any heads. It would be interesting and tempting to make our project all about Robbie and his fascinating life and views, but I do not see the picture as produced by one single – even if complex – individual.

The other thing that's happened since the facebook post appeared, is that Fort McMurray and the surrounding oil sands areas have been on fire for the past four months,¹⁵ and about 90% of the town has been destroyed. But, I want to move us away from the specific...

I am more interested in what complex ideological structure causes the straight audience – or the liberal, governance audience – to react to the image in the way that it does, the ideological superstructure that produces this majority response. This superstructure I call the whitesupremacistableistspecieistimperialistcapitalistcisheteropatriarchy.

This is the ideological structure that posits the question as, "oil from Saudi Arabia or oil from Canada?"; that decides that we must prefer Canadian oil if we love lesbians even if only because we are supposed to; that sets up this binary choice that is really no choice. The ideology that *conceals* the question, "oil or the planet?"

¹⁴ Alberta Oil Magazine, July 2016, <https://www.albertaoilmagazine.com/2016/07/>

¹⁵ As at the date of the SOAS symposium to celebrate Di Otto's work in September 2016.

I have not said that much about law yet, and the need to “queer international law”, and what that means. While it is the ripping up of indigenous treaties that enables tar sands to be extracted, violating a variety of Canada’s obligations under international human rights law and minorities law, the commitment to tar sands extraction likely sabotages any effective environmental, climate change or greenhouse gas reduction negotiations and commitments.¹⁶

My general starting point in my work is one that sees the relationship between law and capital as entirely synergetic and as sharing a common logic – that of the commodity form.¹⁷ Law ‘congeals’ capitalism, and provides the mechanisms with which property ownership is secured, exchange enabled and wage labour normalised. It is the power of capital, the power of a racist, gendered heteropatriarchal legal system that allows tar sands extraction in Fort McMurray, and that produces the ideas, the image and the material reality in front of us.

When we know how this ideology works and understand the multiple vectors of oppression at work, displayed and hidden in society at large, reflected in the images it produces, we know better how to resist, disrupt, divert or destroy them. So in other words, we need to queer our response to the current ideological superstructure, by translating our analysis of its ideas into actions, as we do theory in order to inform our praxis. A queer reading and praxis would disrupt, and take us beyond, the binaries, of Saudi oil versus Canadian oil. It would ask questions like: “Do we even need oil, to lead a good life?” “Are the state, legal systems, rights, laws, the best means to achieve our political goals?” A queer reading means understanding, challenging and resisting law as part of the heteronormative, the ruling ideology.

Queering law then means letting go of law.

Di participated in the roundtable I organised together with Joanna Noronha at the Law and Society Annual Meeting of 2016 in New Orleans, on the heteronormative. Here, as elsewhere, she emphasised the value in the fact that we, as Queers, have always had to live differently, to do things differently. Di mentioned that we have garnered “Queer survival skills”, necessarily because our paths are by definition different from the straight path, but finding our own path also forces us to live a very conscious daily life and to make deliberate decisions to build alternative communities, families, realities. Because we have to – because of those survival skills, because we must and because we can.¹⁸

Queer survival involves taking queer theory into queer praxis (and vice versa), beyond law, *in spite of* law. This is not just about family and intimate relations (a suspicion of the straight concession of ‘gay marriage’), but about building a different

¹⁶ For an overview, see Angela V Carter, ‘The Petro-Politics of Environmental Regulation in the Tar Sands’ in Laurie E Adkin (ed.), *First World Petro-Politics: The Political Ecology and Governance of Alberta* (Toronto: University of Toronto Press, 2016).

¹⁷ E.g. Grietje Baars, *The Corporation, Law & Capitalism* (Leiden: Brill, forthcoming 2018); Grietje Baars, ‘It’s Not Me, It’s the Corporation: The Value of Corporate Accountability in the Global Political Economy’ (2016) 4:1 *London Review of International Law* 127 <https://academic.oup.com/lril/article-abstract/4/1/127/2413113/It-s-not-me-it-s-the-corporation-the-value-of?redirectedFrom=fulltext>

¹⁸ <http://www.historyisaweapon.com/defcon1/queernation.html>

future, prefiguring that queer utopia, that queer planet. It means retaining that activism, as Di noted, and for me personally, spending a good chunk of my time not on academic work but in organising to set up a radical queer social centre in London. I say that only to make up for the lack of polish and 'productivity' in my academic work.

It means practising, as Di has done, a queer, decolonial, anti-racist life. It means being, building relationships with, alliances, coalitions with, and centring queer, trans, two-spirit and otherwise defining persons of colour.

What I'm interested in then are the lesbians we don't see in this picture: the lesbians, queers and two spirit people the *imagined creators* (those straight white men) of this image probably don't think are all that hot; that Robbie Picard probably doesn't think are all that hot. Who are doing that work out there.

So this brings me to an affective moment – one of shame, embarrassment, discomfort. In the absence of (visibly¹⁹) black speakers and speakers of colour at this event organised to celebrate Di's work, something I hope that the organisers will not let happen again, I want simply to do a shout-out of some incredibly strong, and inspirational lesbians, queers and two spirited indigenous people and people of colour that are doing this hugely important work (and I realize this is a poor substitute to actually having them speak here). Queers, two spirit, women and femmes of colour are leading that struggle for a different world, because we know how to fight.

First of all, we need, in order to inform our present, to centre thinkers like Sara Ahmed, who in *Living a Feminist Life*²⁰ explains how queer and feminist theory is nothing if not emerging from, and always present in, our everyday practice, and who quit her post at Goldsmiths in protest against the University's failure to deal with widespread sexual harassment of students and staff.²¹

We need to listen to queer indigenous scholars such as Sarah Hunt of UBC, who writes on everyday decolonisation and how we might perform queerness differently within a decolonial praxis; who tells us to examine our complicity in multiple logics of oppression, to have uncomfortable conversations with those outside our own community, to use Queer as a verb: a "deconstructive practice focused on challenging normative knowledges, identities, behaviours, and spaces thereby unsettling power relations and taken-for-granted assumptions. Queerness is then less a way of 'being' and more a way of 'doing'."²² This needs to happen in the intimate spaces of daily life among family and friends at home as well as on the street.

Di, in your work and life you have shown us what being an effective ally means. Thank you for setting us off on this queer path.

And in that vein again returning to Turtle Island, let's hear indigenous and two spirit writer, spoken word artist and activist Leanne Betasamosake Simpson. Leanne was

¹⁹ I later learnt that one of the speakers is a 'white-passing' POC. There were also three POC chairs.

²⁰ Sara Ahmed, *Living a Feminist Life* (Durham, NC: Duke University Press, 2017).

²¹ Sara Ahmed, Resignation: <https://feministkilljoys.com/2016/05/30/resignation/>

²² Sarah Hunt and Cindy Holmes, 'Everyday Decolonization: Living a Decolonizing Queer Politics' (2015) 19:2 Journal of Lesbian Studies 154, 156.

one of the key instigators behind Idle no More – a resistance organisation that built coalitions as far away as New Zealand and Gaza.²³

From these people we can learn about how to relate and build queer societies, queer futures, beyond the heteropatriarchy. We can learn from Leanne about community relationality based on *a different kind of* recognition – a key principle in her society:

Recognition for us is about presence, about profound listening and about recognizing and affirming the light in each other, as a mechanism for nurturing and strengthening internal relationships to our Nishnaabeg worlds. It is a core part of our political systems because they are rooted in our bodies and our bodies are not just informed by but created and maintained by relationships of deep reciprocity. Our bodies only exist in relation to Indigenous complex, non-linear constructions of time, space, and place which are continually rebirthed through the practice and often coded recognition of obligations and responsibilities within a nest of diversity, freedom, consent, non-interference and a generated, proportional, emergent reciprocity.²⁴

Finally, a shout out to those queers of colour who are experiencing the violence of whitecishetpatriarchal law being used to silence them – for example, Jasmine Richards, one of the instigators of the Black Lives Matter movement, recently imprisoned for the crime of ‘felony lynching’. As she was led from the courtroom, she channeled Assata Shakur:

It is our duty to fight for freedom.
It is our duty to win.
We must love and protect one another.
We have nothing to lose but our chains.²⁵

²³ <http://uspcn.org/2012/12/23/palestinians-in-solidarity-with-idle-no-more-and-indigenous-rights/>

²⁴ Leanne Simpson, ‘Anger, Resentment & Love: Fuelling Resurgent Struggle’: <https://www.leannesimpson.ca/talk/>

²⁵ Assata Shakur, *Assata An Autobiography* (Chicago: Lawrence Hill Books, 1999) 75.

Picture: Black Lives Matter²⁶

Indeed, we must continue, reinvigorate, channel and put to work our legacy, solidarity, recognition and *skills*, including our survival skills and the skills Di taught us which enable a queer reading of law, to lose the whitesupremacistableistspecieistimperialistcapitalistcisheteropatriarchy!

²⁶ <http://blacklivesmatter.com/black-lives-matter-organizer-jasmine-abdullah-aka-jasmine-richards-targeted-and-convicted-of-attempted-lynching/>
